



Atty. Dkt. No. 039153-0325

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Babcock et al.  
Title: METHOD FOR USING  
PHASE-SHIFTING MASK

(Formerly "PHASE-  
SHIFTING MASK WITH  
TRENCHES HAVING  
MULTIPLE DEPTHS")

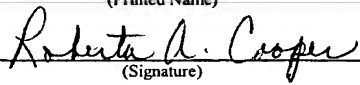
Appl. No.: 10/047,610

Filing Date: 01/16/2002

Examiner: Stephen D. Rosasco

Art Unit: 1756

Confirmation No.: 5742

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 459169665 US (Express Mail Label Number)	12/08/04 (Date of Deposit)
Roberta A. Cooper (Printed Name)	
 (Signature)	

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be

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appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

### **RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

### **FEE**


A fee in connection with submission of a supplemental information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 12/8/2004

By 

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: December 8, 2004

(Use as many sheets as necessary)

1 of 2

**Complete if Known**

Application Number	10/047,610
Filing Date	1/16/2002
First Named Inventor	Carl P. Babcock
Group Art Unit	1756
Examiner Name	Stephen D. Rosasco
Attorney Docket Number	039153-0325

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	2002/0094482	A1	Mansfield et al.	07-18-2002	
	A2	6,368,754	B1	Imai	04-09-2002	
	A3	6,327,022	B1	Nishi	12-04-2001	
	A4	6,320,648	B1	Brueck et al.	11-20-2001	
	A5	5,563,012		Neisser	10-08-1996	
	A6	5,536,602		Nakao	07-16-1996	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page, volume-issue number, publisher, city and/or country where published.	T <sup>6</sup>
	A7	United States Patent and Trademark Office Board of Patent Appeals and Interferences Decision on Appeal Mailed September 20, 2004 In Reference to U.S. Patent Application No. 09/844,014, 8 pages.	
	A8	Reply Brief Under 37 C.F.R. § 1.193(b)(1) in Response to the March 24, 2004 Examiner's Answer to the Appellant's Appeal Brief Mailed May 24, 2004 In Reference to U.S. Patent Application No. 09/844,014, 9 pages.	
	A9	United States Patent and Trademark Office Board of Patent Appeals and Interferences Examiner's Answer to the Appellant's Appeal Brief Filed January 12, 2004, Mailed March 24, 2004 In Reference to U.S. Patent Application No. 09/844,014, 22 pages.	
	A10	Brief on Appeal in Response to the Final Office Action Dated August 13, 2003, Mailed January 12, 2004, In Reference U.S. Patent Application No. 09/844,014, 20 pages.	
	A11	Amendment and Reply Under 37 C.F.R. 1.116 in Response to the Final Office Action Dated August 13, 2003, Mailed January 12, 2004, In Reference to U.S. Patent Application No. 09/844,014, 6 pages.	
	A12	Final Office Action in Response to Communication Filed on May 20, 2003, Mailed August 13, 2003, In Reference to U.S. Patent Application No. 09/844,014, 12 pages.	
	A13	Amendment in Response to Office Action dated February 21, 2003 In Reference to U.S. Patent Application No. 09/844,014, Mailed May 20, 2003, 8 pages.	

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page, volume-issue number, publisher, city and/or country where published.	T <sup>6</sup>
	A14	Office Action in Response to Communication Filed on January 23, 2003, In Reference to U.S. Patent Application No. 09/844,014, Mailed February 21, 2003, 12 pages.	
	A15	Response to Office Action dated November 27, 2002, In Reference to U.S. Patent Application No. 09/844,014, Mailed January 23, 2003, 11 pages.	
	A16	Final Office Action in Response to Communication Filed on September 9, 2002, in Reference to U.S. Patent Application No. 09/844,014, Mailed November 27, 2002, 8 pages.	
	A17	Amendment in Response to Office Action dated July 22, 2002, In Reference to U.S. Patent Application No. 09/844,014, Mailed September 3, 2002, 14 pages.	

Examiner Signature		Date Considered	
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